

**REMARKS**

Applicant respectfully thanks the Examiner for the consideration provided to this application, and respectfully requests reconsideration of this application.

Claims 25-101 are now pending in this application. Each of claims 25, 46, 58, 75, and 81 is in independent form.

**The Obviousness Rejections**

Each of claims 25-101 was rejected under 35 U.S.C. 103(a) as being obvious, and thus unpatentable, over various combinations of U.S. Patent 6,259,701 (“Shur”), U.S. Patent 5,893,091 (“Hunt”), U.S. Patent 6,324,163 (“Alexanders”), U.S. Patent 7,051,103 (“Giroir”), and/or U.S. Patent 5,903,559 (“Acharya”).

Filed herewith is a 37 CFR § 1.131 Declaration of Edward Drake, an inventor of the present application. The facts set forth in Edward Drake’s declaration establish the following:

- 1) the claimed subject matter claimed was conceived in the United States prior to the effective filing date (11 September 1997) of Shur; and
- 2) due diligence occurred in the United States from conception to the effective filing date of the present application.

Thus, Shur should be eliminated as a basis for the rejection. Upon elimination of Shur, the applied portions of the remaining references relied upon in the Office Action do not establish a *prima facie* case of obviousness. *See* MPEP § 2143. Consequently, reconsideration and withdrawal of these rejections is respectfully requested.

**PATENT**  
**Application 09/843,289**  
**Attorney Docket 2005P12928US (1120-005)**

**CONCLUSION**

It is respectfully submitted that the application is in clear condition for allowance. Reconsideration, withdrawal of all grounds of rejection, and issuance of a Notice of Allowance are earnestly solicited.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. 1.16 or 1.17 to Deposit Account 50-2504. The Examiner is invited to contact the undersigned at 434-972-9988 to discuss any matter regarding this application.

Respectfully submitted,

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